

Legislative Analysis



TERMINATION OF PARENTAL RIGHTS LAWYER/GUARDIAN AD LITEM TRAINING;

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Senate Bill 1005 (Substitute H-1)

(Enacted as Public Act 115 of 2012)

Sponsor: Sen. Judy K. Emmons

House Committee: Families, Children, and Seniors

Senate Committee: Families, Seniors, and Human Services

Complete to 4-25-12

A REVISED SUMMARY OF SENATE BILL 1005 AS REPORTED FROM HOUSE COMMITTEE ON 4-17-12

The bill would amend the Juvenile Code to:

- Include sexual abuse of a child, a sibling, or another child in the types of abuse for which the family court may terminate a parent's parental rights.
- Include training in early childhood, child, and adolescent development among the duties of a lawyer-guardian ad litem.
- Require an agency to include in its case service plans conditions that would limit or preclude placement or parenting time with a parent who is required, by court order, to register under sex offender registration Act.
- Specify that if a court finds a parent is required by court order to register under the Sex Offenders Registration Act, the Department of Human Services may, but is not required to, make reasonable efforts to reunify the child with the parent. The court could order the department to make such reasonable efforts. (Registration by a parent under the Sex Offender's Registration Act would be one of the factors that would create an exception to the requirement in Section 19a of the act that reasonable efforts must be made to reunify a child and family.)

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on state and local governments. Family court caseloads may be increased by an indeterminate amount, and they may face higher costs due to an increased caseload.

The bill would incorporate new federal guidelines into statute, as required by the Child Abuse Prevention and Treatment Act Reauthorization Act of 2010. In order to continue to qualify for approximately \$800,000 in federal funding for child abuse and neglect prevention activities, the state must comply with these guidelines.

POSITIONS:

Department of Human Services supports the bill. (4-17-12)

Children's Law Section of the State Bar supports the bill. (4- 17-12)

Family Law Section of the State Bar supports the bill. (4-17-12)

Michigan County Social Services Association supports the bill. (4-18-12)

Michigan Judges Association supports the bill (4-17-12)

Michigan Probate Judges Association supports the bill (4-17-12)

Legislative Analyst: E. Best
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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.